



City of Rowlett

Meeting Minutes

City Council

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

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Tuesday, May 4, 2010

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

Present: Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

1. CALL TO ORDER

Mayor Harper called the meeting to order at 5:30 p.m.

2. EXECUTIVE SESSION

Convened into Executive Session at 5:30 p.m.

2A. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) and §551.072 (Deliberation Regarding Real Property) to review appraisal rolls for Martin Street and Rowlett Road Phase 2 Right-of-Way (ROW) acquisition and negotiation policy. (5 minutes)

2B. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) and §551.087 (Economic Development) to seek legal advice and to deliberate on economic development incentives and financial prospects for property located at or around Pecan Grove Park. (15 minutes)

2C. The City Council shall convene into Executive Session pursuant to the TEXAS GOVERNMENT CODE, §551.071 (Consultation with Attorney) to deliberate drainage issues relating to Rowlett Business Park. (5 minutes)

RECONVENE INTO OPEN SESSION

Reconvened into open session at 6:20 p.m.

3. WORK SESSION ITEMS (6:00 P.M.)

3A. Joint Work Session meeting with the Economic Development Advisory Board. (10 minutes)

Drew Howard spoke concerning the goals of the Board, Allies Day Golf Tournament, Economic Development Forum, mentoring programs and various other areas of focus.

3B. Receive Economic Development Update. (20 minutes)

Ben White, Director of Economic Development, spoke concerning the opportunities for Rowlett. Stated the department is focusing on getting the word out about Rowlett with advertisements, newsletters, trade shows, videos, the website and email blasts.

3C. Discuss amending Graffiti Ordinance Amendment Section 22-253 and 22-254 to reflect provisions required by HB 2086. (15 minutes)

Staff spoke regarding the proposed changes to the graffiti ordinance as required by HB 2086.

Council asked if the City could use the blaster that was donated by Keep Rowlett Beautiful.

Staff stated the blaster cannot to be used in all instances as it could cause significant damage to property and/or problems relating to use on private property. Stated citizens would have an opportunity to abate the graffiti themselves instead of the City using gray paint to cover the problem.

Staff spoke regarding the various cameras used to monitor graffiti issues.

3D. Discuss amending the Code of Ordinances by amending Section 22-121 of Article III ("Weeds, Wild Growth and Other Unwholesome, Unsightly or Other Dangerous Conditions") of Chapter 22 ("Environment") to add a new subsection (b) providing for the prevention of vegetation of excessive height on agricultural property within twenty (20) feet adjacent to roadways and occupied properties. (15 minutes)

Staff stated 15 properties were identified as being affected by the proposed ordinance change. Stated the term "crops" was removed from the proposed ordinance.

- 3E.** Update on progress of the Fiscal Year 2009-2010 Organizational Work Plan. (30 minutes)

City Manager Humble stated the operational work plan stemmed from the Executive Team Retreat. Spoke regarding the numerous achievements within the City.

4. DISCUSS CONSENT AGENDA ITEMS

No items were removed from the Consent Agenda to be considered individually.

CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)

Convened into the Council Chambers at 7:46 p.m.

5. INVOCATION

The invocation was led by Reverend Steve Leatherwood, First Baptist Church of Rowlett.

POSTING OF COLORS

Posting of Colors by the Rowlett Police Honor Guard.

6. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Rowlett Police Honor Guard.

7. TEXAS PLEDGE OF ALLEGIANCE

The Texas Pledge of Allegiance was led by Mayor Harper.

8. PRESENTATIONS AND PROCLAMATIONS

- 8A.** Presentation of Police Lifesaving Award to Officer Michael Hatfield.

Mayor Harper, Chief Walling and Assistant Chief Evans congratulated and presented Officer Hatfield with a Police Lifesaving Award.

Officer Hatfield thanked everyone for the recognition but stated he felt it was part of his duty and did not feel that he had done anything out of the ordinary.

- 8B.** Proclamation recognizing the week of May 9 – 15, 2010 as National Police Week.

Mayor Harper presented Chief Walling and Assistant Chief Evans with a proclamation recognizing National Police Week.

- 8C.** Proclamation recognizing the week of May 2 – 8, 2010 as National Detention Officers Week.

Mayor Harper presented Chief Walling, Assistant Chief Evans, and Detention Officers Aldridge and Crawford with a proclamation recognizing National Detention Officers Week.

- 8D.** Proclamation recognizing the month of May as National Water Safety Month.

Mayor Harper presented Chief Harris with a proclamation recognizing National Water Safety Month.

- 8E.** Proclamation recognizing the week of May 2 – 8, 2010 as Municipal Clerks Week.

Mayor Harper presented City Secretary Quinn and Deputy City Secretary Chadwick with a proclamation recognizing Municipal Clerks Week.

- 8F.** Proclamation recognizing May 6, 2010 as National Day of Prayer.

Mayor Harper presented Reverend Kason Huddleston, The River Church, with a proclamation recognizing National Day of Prayer.

- 8G.** Hear presentation of the Monthly Financial report for the period ending March 31, 2010.

Staff gave a brief presentation regarding the Monthly Financial Report for the period ending March 31, 2010.

- 8H.** Update on the 2009-2010 Capital Improvement Plan (CIP) Spending Plan projects.

Staff gave an update regarding numerous CIP projects including Rowlett Road Phase 2 and Phase 3, Miller Road Phase 1, Kenwood Heights Phase 2, Princeton Road, Main Street and Rowlett Road Lift Stations, Delia Street (CDBG), Asphalt Overlay Projects, project statuses for the President George Bush Turnpike (PGBT) and DART Blue Line, pavement foam injections,

alley panel replacements, concrete repair and rehabilitation projects and various projects in the design stage.

Council asked if there was a measurement to judge the successfulness of a foam injection. Staff stated there is a specific balance that must take place and the success rate is approximately 80% - 90%.

Staff stated public meetings with the business community along Kirby Road and Liberty Grove Road would take place in the near future concerning access to their businesses during the traffic switch while the turnpike construction moves forward.

8I. Update from the Mayor: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest, and Items of Community Interests.

Mayor Harper gave a brief update to the Council on the various activities in the City including the economy, the PGBT Eastern Extension, the DART Blue Line Extension, the establishment of 59 new businesses and the expansion of 11 current businesses in Rowlett, the May 6th Rockwall County Mayor's Prayer Breakfast, the May 6th All-City Concert of Prayer, the May 22nd opening of the Wet Zone, the May 29th Memorial Day and Touch-a-Truck Event, the July 3rd Fireworks on Main and the May 8th Election.

9. CITIZENS' INPUT

1. Karen Scholz – 7206 Timberline Drive – Thanked the City Council for their dedication and work.
2. John Shewmaker – 3101 Weems Way – Spoke concerning a request for an open records request.
3. Harold Brody – 4317 Founders Drive – Suggested students become involved in government.
4. William Mooney – 4005 Southridge Drive – Spoke concerning the Creekside Village Public Meeting scheduled for May 13, 2010.
5. Kristen Wall – 7518 San Carlos Drive – Announced a Public Meeting to be held by the developer of Creekside Village on May 13, 2010 at the Rowlett Community Centre, Room A.
6. Roger Trent – 7602 Merritt Road – Voiced concern regarding the request of his utility records from the Rowlett Utility Department.
7. Jerry Gossett – 3106 Suzanne Drive – Spoke regarding the proposed Creekside Village development.

10. CONSENT AGENDA

No items were removed from the Consent Agenda to be considered individually.

City Secretary read the items into the record.

- 10A.** Consider approving minutes from the April 20, 2010 Regular Council Meeting.

This item was approved on the Consent Agenda.

- 10B.** Consider a resolution approving Change Order Number 1 in the amount of seventy thousand dollars (\$70,000) to the concrete repair and replacement contract to Platinum Paving and authorizing the execution of the necessary documents.

This item was approved as RES-036-10 on the Consent Agenda.

- 10C.** Consider an ordinance amending the Code of Ordinances by amending Sections 26-102 of Article III ("Codes and Standards") of Chapter 26 ("Fire Prevention and Protection") and Section 78-52 of Division II (International Building Code") of Article II ("Building Regulations") of Chapter 78 ("Buildings and Building Regulations") which adopted certain amendments to the 2006 Edition of the International Fire Code and 2006 Edition of the International Building Codes, respectively, requiring Automatic Fire Sprinkler Systems in Group U Occupancy buildings of more than 2,500 square feet in size.

This item was approved as ORD-009-10 on the Consent Agenda.

- 10D.** Consider a resolution approving a policy regarding Council participation in Town Hall Meetings.

This item was approved as RES-037-10 on the Consent Agenda.

- 10E.** Consider a resolution establishing the Falcon Street Public Improvement District to construct and finance a screening wall along the length of the Falcon Street alley adjacent to Rowlett Road, having an estimated cost of one hundred forty-nine thousand five hundred ninety-two dollars (\$149,592). The proposed apportionment of the cost is 80% by the municipality and 20% by the improvement district with the proposed method of assessment through annual payments to the City of Rowlett.

This item was approved as RES-038-10 on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Mayor Pro Tem Maggiotto, seconded by Councilmember Phillips, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson, and Councilmember Kilgore

11. ITEMS FOR INDIVIDUAL CONSIDERATION

Mayor Harper read the item into the record.

11A. Conduct a public hearing and consider an ordinance amending the Master Thoroughfare Plan (MTP), of Part V of the Rowlett Code of Ordinances.

Staff gave a brief presentation as to the history of the Master Thoroughfare Plan.

The public hearing opened at 9:21 p.m. with one person speaking.

1. James Schrade – 8209 Schrade Road – Clarification was requested regarding the Chiesa Road Right-of-Way (ROW) proposal.

Staff clarified that no changes to Chiesa Road have been proposed.

Questions were brought forth regarding the 85-foot ROW along Chiesa Road.

Staff asked for a clear understanding of the Council's concerns thus the issues can be addressed and additional information can be provided if needed.

A member of Council requested this item be brought back before the Council during a Work Session.

The City Secretary was directed to build a historical perspective from record minutes of the past regarding the MTP.

The public hearing was adjourned at 9:33 p.m.

A motion was made by Mayor Pro Tem Maggiotto, seconded by Deputy Mayor Pro Tem Gottel to defer the public hearing agenda item and to bring this item back at a future meeting. The motion carried by the following vote:

Ayes: 7 – Mayor Harper, Mayor Pro Tem Maggiotto, Deputy Mayor Pro Tem Gottel, Councilmember Phillips, Councilmember Rushing, Councilmember Jackson and Councilmember Kilgore

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

No actions were taken following the Executive Session.

12. ADJOURNMENT

Mayor Harper adjourned the meeting at 9:34 p.m.



Steve Maggiotto, Mayor Pro Tem



Susie Quinn, City Secretary

Date Approved: May 18, 2010